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Attorneys for Defendant Patrick M. Byrne

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**ROBERT HUNTER BIDEN,**

Plaintiff,

vs.

**PATRICK M. BYRNE,**

Defendant.

Case No.: 2:23-CV-09430-SVW-PD

**DECLARATION OF JOHN W.  
HOWARD IN SUPPORT OF  
MOTION TO WITHDRAW AS  
COUNSEL**

**DECLARATION OF JOHN W. HOWARD**

I, John W. Howard, declare as follows:

1. I am an attorney duly licensed to practice before all courts in the state of California and before this Court. I am a partner with the law firm JW Howard/Attorneys, Ltd., which was recently retained to serve as co-counsel for Defendant Patrick M. Byrne in this matter. I have personal knowledge of the facts set forth in this declaration and could testify competently to them if called to do so. I am submitting this declaration in support of my firm's motion to withdraw as Mr. Byrne's counsel.

2. My firm was retained to assist in representing Mr. Byrne several weeks ago. In fact, we were retained just days before the conference at which the Court set the current trial date and associated deadlines on March 18, 2024.

3. Unfortunately, since those deadlines were set, there has been a breakdown in communications between my firm and Mr. Byrne which resulted in Mr. Byrne seeking new counsel to represent him in the Central District of California.

4. To alleviate any prejudice to Mr. Byrne, my firm has been diligently attempting to gather evidence to comply with the existing discovery deadlines and move this case toward trial in December 2024. We served Mr. Byrne's initial disclosures on April 1, 2024. We also secured a one-week extension of Mr. Byrne's deadline to respond to written discovery requests. Those responses are now due on April 26, 2024. They are being prepared by Mr. Byrne's other counsel.

5. I do not believe that anybody will be prejudiced by my firm's motion to withdraw. Mr. Byrne has other counsel in the case, and I understand that he is in the process of retaining additional attorneys. Furthermore, trial is not scheduled for eight months. Discovery is in the very early stages as only Plaintiff has propounded his first set of written discovery.

6. On April 18, 2024 and at my express direction, Michelle Volk of my office called opposing counsel, Gregory Ellis of Winston & Strawn LLP, to inform him our intent to withdraw on behalf of Mr. Byrne. She was unable to reach him by phone and left a voice mail. In response, Mr. Ellis sent an email on the same day to all counsel on which I was copied. Mr. Ellis's email indicated that Plaintiff had no objection to the motion.

Under penalty of perjury, under the laws of the United States of America, I declare that the foregoing is true and correct. Executed this 19th day of April 2024 at San Diego, California.

/s/ John W. Howard

John W. Howard

**CERTIFICATE OF SERVICE**

At the time of service, I was over 18 years of age and not a party to this action. I am employed by JW Howard/Attorneys, LTD. in the County of San Diego, State of California. My business address is 600 West Broadway, Suite 1400, San Diego, California 92101.

On April 19, 2024, I electronically filed the **DECLARATION OF JOHN W. HOWARD IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL** and served the documents using the Court's Electronic CM/ECF Service which will send electronic notification of such filing to all registered counsel.

On April 19, 2024, I e-served upon Attorneys for Defendant, Patrick M. Byrne at:  
Russell Newman: [russell@thenewmanlawfirm.com](mailto:russell@thenewmanlawfirm.com)  
Stefanie Lambert: [AttorneyLambert@protonmail.com](mailto:AttorneyLambert@protonmail.com)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on April 19, 2024 at San Diego, California.

/s/ Dayna Dang  
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